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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/802,320	03/08/2001	James Engert	2825.2001-001

CONFIRMATION NO. 1435

## FORMALITIES LETTER



\*OC000000006105460\*

Lisa M. Treannie, Esq.  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
Two Militia Drive  
Lexington, MA 02421-4799

Date Mailed: 05/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/04/2002 SMINASS1 00000069 09802320

FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 OP  
02 FC:102 252.00 OP  
03 FC:105 130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$240.  
    ■ \$240 for 3 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1080.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - Numbers, letters, and reference characters must measure at least 0.32 cm (1/8 inch) in height.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114

OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:  
TRADEMARK OFFICE

James C. Engert, Marie-Claude Vohl, Carl Brewer, Kenneth  
Morgan, Daniel Gaudet and Thomas J. Hudson

Application No.: 09/802,320 Group: 1632  
Filed: March 8, 2001 Examiner: Not Assigned  
For: Very Low Density Lipoprotein Receptor Polymorphisms and Uses Therefor

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the  
United States Postal Service with sufficient postage as First Class Mail in  
an envelope addressed to Assistant Commissioner for Patents,  
Washington, D.C. 20231

on 11/21/01 Date Signature Denise Cauder

Denise Cauder  
Typed or printed name of person signing certificate

01/04/2002 SHINASS1 00000069 09802320

04 FC:118

1440.00 DP

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated May 23, 2001, the following documents  
and fees are being submitted for filing in the captioned application. A copy of the Notice is  
attached.

[X] **EXECUTED DECLARATION/POWER OF ATTORNEY**

(Separate transmittal letter and postcard not required)

[X] **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.

(Separate transmittal letter and postcard not required)

[X] **SURCHARGE** - surcharge fee of \$130.00.

(Separate transmittal letter and postcard not required)

[X] **SEQUENCE LISTING** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

☒ **TRANSMITTAL OF SUBSTITUTE DRAWINGS**

[6] Sheets of substitute drawings consisting of Figs. 1, 2A, 2B, 2C, 2D and 3 are enclosed.

*(Separate transmittal letter and postcard not required)*

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicants hereby petition to extend the time to respond to the Notice to File Missing Parts dated May 23, 2001 for four months from July 23, 2001 to November 23, 2001. The appropriate fee of \$1440.00 is included in the enclosed check.

☐ A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee.

☐ Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check.

*(Separate Petition for Extension of Time and postcard not required)*

☐ **REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached.**

*(Separate transmittal letter and postcard required)*

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [ ] .

☐ Is enclosed herewith.

*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$2562. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Lisa M. Treannie

Lisa M. Treannie

Registration No.: 41,368

Telephone: (978) 341-0036

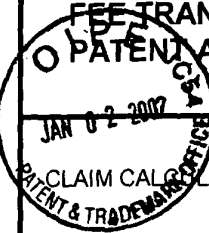
Facsimile: (978) 341-0136

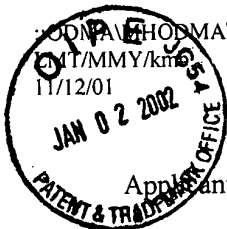
Concord, MA 01742-9133

Date:

11/21/01

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b> 		Attorney Docket Number	2825.2001-001		
		Application Number	09/802,320		
		First Named Inventor	James C. Engert		
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS <small>(37 CFR 1.16(c) or (j))</small>	15 - 20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS <small>(37 CFR 1.16(b) or (i))</small>	6 - 3** =	3	x \$ 84 =	\$ 252
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE <small>(37 CFR 1.16(a) or (h))</small>	\$ 740
				Total of above Calculations =	\$ 992
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =			\$	
	TOTAL =			\$ 992	
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =			\$ 130	
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =			\$ 1440	
	Assignment Recordation Fee = <small>(only when filed with application)</small>			\$	
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 2562
<p>1. Small entity status:</p> <p>a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p>b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p>c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input checked="" type="checkbox"/> A check is enclosed for \$2562. <input type="checkbox"/> Please charge \$[ ] to Deposit Account No. 08-0380.</p> <p>4. <input type="checkbox"/> Other: _____</p>					
Signature		<i>Lisa M. Treannie</i>		Date	11/21/01
Submitted by Typed or Printed Name		Lisa M. Treannie		Reg. Number	41,368



PATENT APPLICATION  
Docket No.: 2825.2001-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James C. Engert, Marie-Claude Vohl, Carl Brewer, Kenneth Morgan,  
Daniel Gaudet and Thomas J. Hudson

Application No.: 09/802,320

Group: 1632

Filed: March 8, 2001

Examiner: Not Assigned

For: Very Low Density Lipoprotein Receptor Polymorphisms and Uses Therefor

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>11-21-01</u>	<u>Denise Caredo</u>
Date	Signature
<u>Denise Caredo</u>	
Typed or printed name of person signing certificate	

TRANSMITTAL OF FORMAL DRAWINGS

Assistant Commissioner for Patents  
Washington, D.C., 20231

Sir:

In reply to the Notice To File Missing Parts mailed from the U.S. Patent and Trademark Office on May 23, 2001, transmitted herewith are formal drawings, sheets 1/6 - 6/6, figures 1, 2A, 2B, 2C, 2D and 3 for filing in the subject application.

Acceptance of the formal drawings is respectfully requested.

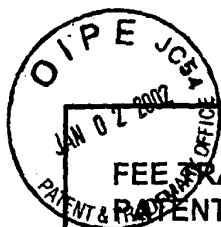
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Lisa M. Treannie  
Lisa M. Treannie, Esq.  
Registration No. 41,368  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 11/21/01



# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>	Attorney Docket Number	2825.2001-001
	Application Number	09/802,320
	First Named Inventor	James C. Engert

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	15 - 20* =	0	x \$ 18 =	\$ 0
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				Assignment Recordation Fee = (only when filed with application)	\$
				TOTAL =	\$ 2562

\* Reissue claims in excess of 20 and over original patent  
\*\* Reissue independent claims over original patent

1. Small entity status:

- a. ☐ A small entity statement is enclosed.
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- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$2562. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

4. ☐ Other: \_\_\_\_\_

Signature	<i>Lisa M. Treannie</i>	Date	11/21/01
Submitted by Typed or Printed Name	Lisa M. Treannie	Reg. Number	41,368



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7

James C. Engert, Marie-Claude Vohl, Carl Brewer, Kenneth Morgan,  
Daniel Gaudet and Thomas J. Hudson

Application No.: 09/802,320

Group: 1632

Filed: March 8, 2001

Examiner: Not Assigned

For: Very Low Density Lipoprotein Receptor Polymorphisms and Uses Therefor

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>11/21/01</u>	<u>Denise Caradio</u>
Date	Signature
<u>Denise Caradio</u>	
Typed or printed name of person signing certificate	

TRANSMITTAL OF DECLARATION/POWER OF ATTORNEY AND  
NOTICE OF CHANGE OF CORRESPONDENCE ADDRESS

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

A Reply to Notice to File Missing Parts, including executed Declaration/Power of Attorney document(s), is being filed concurrently in the above-referenced patent application. At page 2, the Declaration/Power of Attorney sets forth the former address of the undersigned in the appointment of agent and as correspondence address. Please send all correspondence to:  
Customer No. 021005, Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to Lisa M. Treannie, Esq. at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Lisa M. Treannie  
Lisa M. Treannie  
Registration No.: 41,368  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 11/21/01